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Docket No.: 12928/100022; 569.1032DIV  
 Date: November 10, 2009

In re application of: **Jean-Paul MARDON et al.**  
 Serial No.: 10/728,237  
 Filed: December 3, 2003  
 For: **ALLOY AND TUBE FOR NUCLEAR FUEL ASSEMBLY AND METHOD FOR MAKING SAME**

Sir:

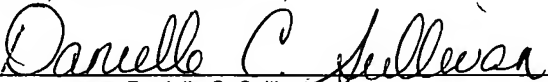
Transmitted herewith is an **APPELLANT'S BRIEF UNDER 37 C.F.R. § 41.37 (11 pg)** in the above-identified application.

- ☒ Also transmitted herewith are:
  - ☒ Petition for extension under 37 C.F.R. 1.136
  - ☒ Return Receipt Postcard
  - ☐ Other:
- ☒ Check(s) in the amount of **\$670.00** is/are attached to cover:
  - ☐ Filing fee for additional claims under 37 C.F.R. 1.16
  - ☒ Petition fee for extension under 37 C.F.R. 1.136
  - ☒ Other: Filing Fee for Appeal Brief
- ☒ The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.
  - ☒ Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.
  - ☒ Any patent application processing fees under 37 C.F.R. 1.17.
  - ☒ Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.

  
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I hereby certify that the documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" with sufficient postage in an envelope addressed to "Mail Stop: APPEAL BRIEF - PATENTS Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on November 10, 2009.  
 DAVIDSON, DAVIDSON & KAPPEL, LLC

BY:   
 Danielle C. Sullivan